

Mr. SIKES. Mr. Speaker, now that we are able to evaluate more positively the events of Tonkin Gulf, it is increasingly obvious that the United States gained significantly in world standing. We must recognize the fact that much of this is due to the courageous manner in which Comdr. Herbert Leakin Ogier, commanding officer of the U.S.S. *Maddox*, reacted when attacked. I sincerely hope appropriate recognition will be given to him by our Government. Commander Ogier is the forthright officer who covered himself with glory and his Nation with honor by a prompt and vigorous response when the *Maddox* was attacked by North Vietnamese gunboats. This was not a case of turning the other cheek; or a halfhearted response. This was the vigorous and effective answer of a powerful nation that knows she is in the right. I congratulate him; I sincerely hope that my Government will properly honor him so that the world may know we appreciate fighting men who fight.

INDEPENDENT OFFICES APPROPRIATION BILL, 1965

Mr. THOMAS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 11296) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1965, and for other purposes, with amendments of the Senate thereto, disagree to the amendments of the Senate and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

The Chair hears none and appoints the following conferees: Messrs. THOMAS, EVINS, MAHON, OSTERTAG, and JONAS.

PUBLIC ACCOMMODATIONS PROVISIONS VIS-A-VIS BARBERSHOPS AND BEAUTY PARLORS

(Mrs. GRIFFITHS asked and was given permission to insert in the Record at this point a letter addressed to the Speaker.)

AUGUST 6, 1964.

The Honorable JOHN W. McCORMACK,
The Speaker of the House of Representatives.

DEAR MR. SPEAKER: It has been brought to our attention by a number of Congressmen that letters and advertisements are being circulated among operators of barber-shops and beauty parlors indicating that the recently enacted Civil Rights Act of 1964 will require such establishments to serve Negroes. This suggestion, of course, is completely without foundation. Neither barber-shops nor beauty parlors are covered by the public accommodations provisions of the new law, except in those particular and limited instances where the barber-shop or beauty parlor is located in a hotel or other covered establishment in order to serve patrons of the hotel or other establishment. This coverage, which would extend only to a small minority of barber-shops and beauty parlors, is not based on any attempt to cover barber-shops or beauty parlors, as such, but on the logical premise that all the services of a covered facility, such as a hotel, should be available

to the patrons of the hotel without discrimination.

I hope this information will be helpful to you in dispelling the misconceptions which have been circulated concerning coverage of the new law.

Sincerely,

NICHOLAS DEB. KATZENBACH,
Deputy Attorney General.

REAPPORTIONMENT AND THE CENSUS

(Mr. FRIEDEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FRIEDEL. Mr. Speaker, I want to call the attention of my colleagues to a bill I dropped in the hopper today to authorize that a census of population be taken next year, 1965.

As you all know, the Supreme Court has rendered a number of decisions in recent months directing that the House of Representatives must be reapportioned on the basis of population alone. The Court has also ruled that State legislatures must be reapportioned on the basis of population alone.

I think it is apparent to many of my colleagues that the population in many of our cities has risen sharply since the last census was taken in 1960. How can we possibly be expected to redraw district lines solely on the basis of population if we are forced to use figures 5 years old? If we are to redraw district lines, in compliance with the Supreme Court's decisions, with any degree of accuracy we must have more up-to-date information on the actual population in each area of the country, by State, county, and political subdivision. Unless such information is brought up to date, it will be a waste of time to redraw district lines before 1970 because I am sure we will find at that time that the districts are not equal in population because we used obsolete figures in redistricting.

Our State legislatures will be considering the problem of redistricting next year and the Court has ruled that new district lines, based on population alone, must be drawn before the 1966 elections.

Therefore, I urge the support of all my colleagues to have my bill enacted into law before this Congress adjourns. With the figures obtained in a 1965 census, we will be able to tackle the problem of redistricting in the knowledge that the new lines we draw will be reasonably accurate.

ADVANCE NOTICE OF ATTACK ON NORTH VIETNAM PT BOAT BASES

(Mr. FOREMAN asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. FOREMAN. Mr. Speaker, since my expression of concern last Friday before this Congress over the administration's irresponsible action in giving advance notice to the world, including the Communists, of our planned attack upon their North Vietnam PT boat bases, we have had confirmation from both the

Pentagon and the White House that the facts and timing I pointed out surrounding this matter are correct.

Further, it is my understanding that, last night, Rear Adm. Robert B. Moore, commander of the task force that led the raids, informed United Press International that our planes had not been detected by the enemy radar at the time of the President's prime television performance. This information further points up the very serious international irresponsibility of such an ill-advised television production by this administration.

Our initial attack upon the enemy was made Wednesday at 1:15 a.m., e.d.t., 99 minutes after the President had told the world of the pending attack. Never before, in recent history, has there been demonstrated such high-level international military irresponsibility.

The Pentagon and the President's awkward attempts to cover up this grandstanding political play only goes to prove how irresponsible the announcement was.

A doughboy soldier notifying the enemy 90 minutes in advance of a raid would be tried for treason, and he could expect grave and serious consequences, but this action is supposed to be rewarded in November at the polls.

In response to questioning by reporters after this was brought to light, the Pentagon and White House advised that we gave early notice so that "Hanoi would know it was a limited response, only," and further so that Americans could be advised of the action by Washington rather than by Hanoi. By this deplorable and unexcusable action, the administration is saying to the mothers and wives of American fighting men, "We are sending your sons and husbands to fight for their country, but we want to give the enemy every advantage, so we'll advise them to have their guns ready to shoot your boys when they arrive."

COMMITTEE ON AGRICULTURE

Mr. POAGE. Mr. Speaker, I ask unanimous consent that the Committee on Agriculture may have until midnight tonight to file a report on H.R. 12298.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

THE PRESIDENT'S STATEMENT ON OUR NORTH VIETNAM ATTACK

(Mr. ALBERT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ALBERT. Mr. Speaker, the statement of the gentleman from Texas [Mr. FOREMAN] who has just addressed the House involves a very serious charge against the great Chief Executive of this country. No President of the United States for political gain would ever do anything or in all the history of this country has ever done anything that would jeopardize the lives of our troops.

The statement that this was done for that purpose is simply untrue.

Mr. Speaker, the truth is—and I have checked this matter out—that the American planes had already been picked up on radar before the President made his report to the American people.

The President knew that the enemies' radar screens had already alerted them to the approach of American planes.

He knew that the enemy was unable to respond and the proof of this has been established beyond any question by the fact that the enemy did not respond and that their PT-type boats were sitting ducks for attack for our aircraft.

Mr. Speaker, the question before the President of the United States was whether the American people should be advised of American action in retaliation to enemy action by the President of the United States speaking from Washington or whether they should have been advised from Hanoi or Peiping.

Mr. Speaker, the President acted responsibly as the President should in performing his duties in the area of great decisions and in informing the American people of action taken on their behalf.

THE VIETNAM SITUATION AND OUR RETALIATION

(Mr. HALLECK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HALLECK. Mr. Speaker, of course I do not claim to know when the enemy radar picked up the approach of our planes on this very important mission to which the gentleman from Texas has referred and to which the gentleman from Oklahoma (Mr. ALBERT) has referred.

I recall reading in the papers something to the effect that some of the people who were over there indicated they had been picked up on the radar. But I want to make this contribution, for whatever it is worth.

Last Tuesday afternoon, I received a call to come to the White House at 6:45 p.m. Of course, I indicated I would respond, having had some intimation as to what the meeting might be about.

During the day there had been information that serious attacks had been made on our vessel, the destroyer *Maddox* and on our flag.

Now, Mr. Speaker, and I am sure enough has been written and said that this is no disclosure of something that is confidential—my colleagues who go down there from time to time along with the rest of us, recognize that as far as I am concerned my lips are sealed as far as divulging the conversations at these meetings. And I am sure everyone who was there will corroborate my statement in this regard: That we were cautioned before the meeting even got underway that what we were about to hear was a sort of thing which should not be leaked in any fashion because it could serve as advance warning to the enemy. As I said, that admonition was given to us as we opened the meeting and as we closed the meeting.

As I remember it—and I have checked with some others who were there—we were told that nothing should be said about this proposed retaliatory move and no one, not even the President, would say anything about it until our planes were over the targets. Only then, it was said, would the President explain the matter to the people over television and radio.

Now, Mr. Speaker, it seemed to me highly in order that there be no question about my saying anything in advance of the attack, and I hid out for a couple of hours and did not even answer the telephone when I finally got home.

Mr. Speaker, as to the right and wrong of this whole thing, I do not know, but I am certain that we were all cautioned to an absolute silence and confidence that was implicit in that sort of a meeting, because we did not want anything to get out until the planes were over the targets.

Mr. Speaker, I think it is only fair to say now that the Russians could intercept—that anyone could intercept—statements made publicly some hour and a half before the planes were actually over the targets.

Mr. Speaker, I read the explanation of the Secretary of Defense. I have heard the other things that have been said—and as I say except as I know what the facts were in connection with my participation—

Mr. ALBERT. Mr. Speaker, will the gentleman yield to me?

Mr. HALLECK. Yes, I yield.

Mr. ALBERT. What the gentleman says regarding the meeting is true. I was present at the meeting and I did exactly what the gentleman from Indiana did. I did not talk to members of the news media or anyone else for that matter until the next morning.

But, Mr. Speaker, I think it should be said that the reason why we were admonished was that the matter of disclosure was a decision for the military and the Executive and not for us who were not in command of the situation.

I think that is a fair statement of the situation. I think it was understood that the President would make a statement when he who had the means of having available the facts determined that the disclosure should be made.

Mr. HALLECK. I accept that except I must insist upon my original statement that the words that were used were "this would be made public when the planes were over the targets."

DECLINE IN CIVILIAN LABOR FORCE

(Mr. CURTIS asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. CURTIS. Mr. Speaker, I have just requested a special order for 30 minutes for today in order to discuss the very important economic statistic that was recently issued by the Department of Labor, but very much hidden in its press release and certainly not reported by the press and news media to any great extent.

The decline in the civilian labor force

from June to July by 400,000 people is a very serious problem suggesting, if unexplained, economic stagnation.

I am going to discuss this under special order today because it requires considerable explanation. The 4.9 percent figure of unemployment proclaimed by the Department of Labor could only come about in the context of a decline in the civilian labor force. I think it is time that the political appointees in the Department of Labor quit juggling the figures and quit trying to draw erroneous conclusions from important economic statistics.

I hope all Members who are interested in the problems of unemployment will be present.

I have already issued a press release on the remarks I am going to make under special order.

THE VIETNAM SITUATION AND OUR RETALIATION

(Mr. HOSMER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOSMER. Mr. Speaker, the really bothersome point in this matter relative to the announcement of the President 99 minutes prior to the occurrence of the reprisal against the North Vietnamese and the followup statement that the American airplanes had been picked up on North Vietnamese radar at the time the announcement was made is that during this period of 1 hour and 39 minutes an American jet airplane with an airspeed of 500 miles an hour could travel about 825 miles. Were they 825 miles away when picked up, or alleged to be picked up by this North Vietnamese radar? If so the North Vietnamese are equipped with radar of very unique and extraordinary range capability.

One the other hand, if the American aircraft were in the air at closer ranges they must have been on varying courses that would not have disclosed their intention to engage in an attack some hour and 39 minutes later, in which event, the President's words actually supplied the initial information to the North Vietnamese of their intention. I think there is serious need for either the President or the Secretary of Defense or preferably both to come forth with a straightforward explanation for this glaring hole in the explanations they have made so far.

AUTHORIZING POSTMASTER GENERAL TO ENTER INTO LEASES OF REAL PROPERTY

Mr. MURRAY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 9653) to extend the authority of the Postmaster General to enter into leases of real property for periods not exceeding 30 years, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.